

SOLICITOR CHARGES

**FORGERY WAS
USED**

**IN SOME
AFFIDAVITS**

Investigator Burke Put
on

Rack—Two Witnesses
Swear

To Having Heard Screams on Second Floor of Factory at 12:10

Solicitor Hugh M. Dorsey was in the midst of his counter showing against the granting of the extraordinary motion of Leo M. Frank for a new trial when Judge Ben H. Hill adjourned court Friday afternoon at 2 o'clock until Monday morning.

Solicitor Dorsey summed up the state's contention in reference to the extraordinary motion by declaring: "If nothing added to nothing makes something, then there is something to this extraordinary motion for a new trial."

The solicitor vigorously attacked the methods of the defense in securing evidence for their extraordinary motion for a new trial, and paid particular attention to Detective Dan S. Lehon, of the Burns Agency, and C. W. Burke, special investigator. He charged Lehon was behind the Ragsdale scandal and that some of the affidavits offered by the defense which were witnessed before C. W. Burke as a notary were forgeries.

The Solicitor presented an affidavit from Mrs. J. B. Simmons stating she had always claimed it was 4:30 o'clock in the afternoon when she thought she heard screams coming from the basement of the pencil factory.

AFFIDAVITS ABOUT SCREAMS.

One of the most sensational features of the solicitor's counter showing was in the shape of affidavits from two witnesses. W. T. Tucker and his son, I. V. Tucker, in which they claimed they heard screams coming from the second floor of the pencil factory at 2:10 o'clock on the day of the tragedy.

When the hearing before Judge B. H. Hill was resumed Friday morning in the state library to receive the state's counter showing on the motion by the defense, the defense introduced further amendments to its motion.

One of these related to affidavits from Georgia Denham and Cora L. Leffew, employees of the National Pencil factory, that Jim Conley, the Negro sweeper there, accuser of Frank as principal, admitted to them before he was arrested under suspicion of the crime, that the shirt he was washing later when arrested had blood stains on it, and not rust stains as the police believed.

Another of the amendments sought to place in the records the letters alleged to have been written by Jim Conley in jail to Anne Maud Carter, a Negro woman prisoner.

By these letters, which contain the words "did" and "Negro," the defendant expects to attack the state's argument that if Conley had written the murder notes of his own volition, without dic-

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**DORSEY BEGINS
HIS**

FIGHT ON PLEA FOR NEW FRANK TRIAL

(Continued from Page 1.)

tation by Frank, he would have used “done” instead of “did,” and “nigger” instead of “Negro.”

The defense expects further to attack the state’s argument that Conley wrote with difficulty by proving that he wrote the voluminous notes to the Carter woman.

It expects further to show that the substance of the notes to the Carter woman proves Conley a pervert; and by this to argue that the cuts in the murdered girl’s clothes were made deliberately by Conley, and not furiously by Frank, the state’s case being that the murder was not premeditated by Frank but was committed by him in excess of passion.

NEW TRIAL MOTION FIRST.

Before the amendments were introduced, and immediately after court convened, Attorney L. Tye, of counsel in the motion to set aside the verdict, asked the judge what would be done with the motion, set originally for Friday. Judge Hill said the extraordinary motion must continue its precedence. On Mr. Tye’s statement that he will be out of town for about ten days, the judge said he would protect him during his absence and see that he gets ample notice of the new hearing date.

Attorney Leonard Haas then read the amendments. They quoted the affidavit by Mrs. Cora L. Leffew that she saw the hair on the lathe and that in her opinion it was not Mary Phagan's. Mrs. Georgia Denham's affidavit was to that same effect, and also to the effect that she saw the stains on Conley's shirt the morning of the day she was arrested, Thursday, May 1, 1913, and asked him about them, and the Negro said they were blood stains. His nose had been bleeding, he said. He was at some pains to explain how his nose could bleed on his shoulder, where the stains were. She made an affidavit to the city detectives about this a short while later, she said; and heard of the matter no more.

NOTES TO NEGRO WOMAN.

The amendments related further to the notes turned over to Detective Burns by Anna Maud Carter, the Negro woman who was a prisoner in the tower until a short while ago. She identified them as having been written to her by Jim Conley in an affidavit signed by her several days ago in Birmingham. Attorney Haas read a couple of the notes, but judge Hill indicated his unwillingness to hear more, saying he would have to read them anyhow. The notes were full of vulgar phrases. The words "did" and "Negro" appeared in them. Several substantiating affidavits were ready to identify the notes as being in Conley's handwriting.

Leonard Haas read his own affidavit reciting that the solicitor had used repeatedly in his argument the contention that Conley would not have written the words "did" and "Negro" in the murder notes if they had not been dictated by a white man.

He read an affidavit by Detective W. J. Burns, describing the garments which were exhibited at the trial, describing how they were cut, and saying in his opinion they were cut that way by a pervert.

DORSEY INTERRUPTS.

Solicitor Dorsey interrupted this affidavit by saying the garments were in evidence at the trial, and Mr. Burns' affidavit about them could not be considered new evidence.

Attorney Arnold said the reference by Burns' affidavit was merely explanatory of the point which the defense wished to make by means of the notes.

Judge Hill said: "That affidavit will be excluded. I do not care to go behind the record in this case."

Attorney Arnold said the point made by it very strongly fastened the crime on Jim Conley. Mr. Arnold asked if the garments couldn't be brought into court to show that the Burns affidavit offered new evidence.

Judge Hill: "The affiant, W. J. Burns, is simply giving his opinion." Mr. Arnold stated the defense wished to withdraw that part of the affidavit which said in Burns' opinion the garments were cut by a pervert.

"I will exclude the entire affidavit as being without probative value," said Judge Hill. "The original notes and the garments are in evidence already before the court."

Solicitor Dorsey informed him, "We've got them right here, your honor."

Attorney Rosser offered an affidavit signed by two persons, he said. One of the two is a young woman, he said. Since the affidavit was signed, he had received a letter from her father asking that her name be not used in any connection with the case. The affidavit related to the character of Anna Maud Conley, he said. He asked the court's permission, and received it, to erase the young woman's name from the affidavit and leave the other three alone.

DORSEY GETS IN ACTION.

This concluded the defense's motion. Solicitor Dorsey began his counter showing.

The solicitor moved to strike the Denham affidavit on the ground that Mrs. Denham is an employee of the factory and was

employed there at the time of the trial and the defense did not use due diligence in seeking her affidavit. The motion was denied.

He moved to strike the amendment about the notes, saying it could have been presented last week when the affidavit by the Carter woman was introduced that Conley had confessed. This was denied.

He moved to strike the evidence about the garments on the ground that it was known at the trial. This was denied.

A. M. Beattie was called. He is manager of the local branch of the Postal Telegraph company. He came under a subpoena duces tecum, bringing a telegram with him, which he left with the court.

The solicitor asked an attachment for J. Duffy, and received it over the objection of the defense. The defense objected on the ground that the solicitor had not gone through the required legal procedure of showing an attempt to get a statement from Duffy.

READS COUNTER SHOWING.

The solicitor then began reading his counter showing. He said the defense made no effort at the trial to bring out from Dr. Harris, a witness, his opinion at that time about the hair found on the lathe.

The state contended then, and still contends, said Mr. Dorsey, that it was the hair of Mary Phagan. It was not the sole evidence showing the murder was done on the second floor. Stronger evidence was offered by the blood spots on the floor. The defense could have brought out the evidence at the trial, for according to Mr. Arnold it had at court all the women from the factor. The defense did not ask the state's witnesses or its own about the hair.

He said Albert McKnight has made an affidavit that he testified the truth on the witness stand, and would never have made any other affidavit repudiating it if it hadn't been for the agents of the defense, which has not acted in good faith.

With reference to Mrs. J. B. Simmons' affidavit that she heard screams in the factory basement, he said her testimony would not have been important even at the trial, for the proof was that the girl was dead before the time when Mrs. Simmons claims to have heard the screams. Further, said he, Mrs. Simmons is shown to be one of the most disreputable and worthless characters in the community—being impeached, he said, by C. H. Brannon, T. D. Street, A. B. Williams, her son-in-law, and J. B. Simmons, her husband.

CUMULATIVE EVIDENCE.

The affidavit of Mrs. Ethel Harris that she saw Frank on the street between 1:05 and 1:10 o'clock is merely cumulative on the time alibi the defense sought to establish at the trial, said he, and also that Frank has remembered seeing the woman and should have produced her at the trial.

He doubted the authenticity of the Dewey Hewell repudiation. Further, it is not important, because others testified with her at the trial to the state of acts she admitted then.

By affidavits from Miss Ruth Robinson, W. T. Robinson, her father, and Mrs. Mamie Kitchens Edwards, said he, he will show they will not testify as the defense has claimed in its extraordinary motion.

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The statement attributed by the defense's motion, said he, to S. A. Pardee and Will Green are not in harmony with Frank's statements. Frank shows he remained at the factory as late as 1:10 o'clock. Consequently, Pardee and Green could not have seen him at the corner of Alabama and Whitehall between 1:03 and 1:05 o'clock. However, that does not matter greatly, said he, for Frank has failed deliberately and repeatedly. At the coroner's inquest he testified he caught a car, he thought, at the corner of

Alabama and Broad streets—a Washington street car. At the trial he said he caught a Georgia avenue car at the corner of Alabama and Whitehall.

PARDEE'S REPUDIATION.

However, said he, the state has a voluntary repudiation from Pardee, who asked Mr. Rosser to let him withdraw his affidavit.

Mr. Rosser arose and asked, "You notice the Pardee affidavit was not read, don't you?"

The original motion by the defense included this matter, but his affidavit was not read.

The solicitor said Mary Rich, by a deposition, repudiates the statements attributed to her in the motion. Even if she had not given this, said he, the affidavits of F. J. Well man and Jim Conley would render valueless the statements attributed to her by the defense.

While the state does not believe C. B. Dalton has repudiated his evidence, said the solicitor, it is unable to locate him. Various other people with Dalton corroborated the story of Jim Conley, said he, and Dalton's corroboration is not essential.

J. M. Grant and Philip Chambers and a newspaper photographer will show by affidavit, said he, that the number on the order blank on which one of the murder notes was written as not 1018, but 1810. This invalidates the attempt by H. F. Becker to prove the paper had been in the basement for months.

POINTS AS TO RUBBISH.

The state will show also by affidavit of H. W. Otis, city inspector, that the sanitary officials would not have permitted rubbish to lay in the pencil factory basement as long as the defense says the note paper was there.

The solicitor said the state will refute the statements about Ivy Jones, made by the defense, by Jones' own affidavit; and will

show by it, too, the methods of the defense and its lack of good faith.

The ground about Helen Ferguson having been frightened by Jim Conley a week before the tragedy is not relevant and never has been, said the solicitor.

The solicitor said the law is that a witness must be convicted of perjury before a verdict can be set aside on recantation by that witness.

With reference to the time affidavit by Mrs. M. Jaffe, the state will show her character is bad and she is not worthy of belief, said he.

"Unless nothing added to nothing makes something, there is nothing in this original extraordinary motion for a new trial," said the solicitor.

With reference to the J. W. Boozer affidavit that he saw Conley on Peters Street about 4 o'clock on the afternoon of April 26, the state will show Boozer saw Conley the day before, he said.

"VERDICTS LOSE VALUE."

With regard to Anna Maud Carter, the solicitor said: "If the court is going to set aside a verdict on a proposition like that, the value of verdicts will be nothing. Anyone of sufficient wealth to procure somebody to make such an affidavit and then to spirit that person away, can render useless all the work of the courts."

He quoted W. M. Smith's pleadings as attorney for Conley, that Conley be moved away from the Tower back to the jail because he lacked proper protection in the Tower. "This is in keeping with the Ragsdale affair," said he. "This woman is in hiding. The officers cannot find her now. She has been spirited away. The state will show further the unimportance of her testimony by the affidavits which she has made in contradiction of statements attributed to her."

The solicitor asked the court to consider this: That the affidavits presented by the defense for Ivy Jones, Ruth Robinson and Mary Rich, all witnessed by C. W. Burke, notary public, are forgeries: and that Burke has witnessed the affidavits by Dewey Howell and

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STATE ATTACKS EVIDENCE OFFERED FOR LEO FRANK

(Continued from page seven.)

Dalton, who are not now in the jurisdiction of the court.

But the point is unimportant, said he. "We have proved Conley was in the factory at the time he said he was."

In regard to the Ragsdale—Barber amendments, said he, "We will show that Ragsdale has repudiated his affidavit, and that he was bribed to make it by one Lehon, an agent of W. J. Burns. This further shows the methods of the agents for the defense."

He said R. L. Barber has absconded to keep away from prosecution for his false affidavit. The state will show that Barber is a disreputable and notorious character, he said.

"This Ragsdale—Barber affair is in keeping with the Mincey affair and the Fisher affair," said the Solicitor.

With regard to the affidavit by Mrs. Maude Bailey that she saw Frank still in his office after a young girl answering the description of Mary Phagan had gone out, he said the state will show Mrs. Bailey to be unworthy of belief. He said the state's officers cross-examined her minutely, and that she never mentioned this incident before. The solicitor believed she has been attempting to shield Frank. He said Mrs. Bailey's affidavit set

forth that she saw Jim Conley when she entered the factory. "It remained for the defendant to show by one of his own witnesses," said the solicitor, "that Jim Conley was where the state claims he was."

NOTICE OF DEPOSITION.

Before reading the affidavits Solicitor Dorsey told the court he would require depositions from C. C. Tedder and J. Jacobs.

The first affidavit for the state's counter showing, meeting the defense's motion point by point, was by Will A. Gheesling, the undertaker who embalmed Mary Phagan's body.

Gheesling's affidavit stated he washed Mary Phagan's hair in pine tar soap, a preparation which in his eighteen years' experience as an undertaker, he had known to change the color of hair very often, bleaching it somewhat. He stated further that hair often grew longer and thicker after death.

The second affidavit, by J. W. Coleman, stepfather of Mary Phagan, set forth that a few days after the murder Coleman was approached by City Detective John Black, who showed him hair which he said was found on lathing machine. Coleman swore told John Black so far as he could tell the hair was Mary's.

An affidavit by Detective Black stating that he showed Coleman this hair, that it was the hair found on the lathing machine and that later he gave it to Dr. Roy Harris, followed.

Mrs. L. L. Armstrong's affidavit came next, stating that she was proprietor of a local hair dressing parlor, that she could swear the hairs on a person's head differed in color and texture. Several exhibits of hairs sworn to have come from the same head but of different shape, were shown with this affidavit.

Solicitor Dorsey here produced a wig on which he pointed out dissimilar hairs. Attorney Arnold asked the solicitor if he had an affidavit stating that the wig was made of human hair.

MAY BE DOLL'S HAIR.

The solicitor stated he did not, and Attorney Arnold made the remark that for all he knew it might be doll's hair.

An affidavit was read from Miss Jimmie Mayfield, who had also made an affidavit for the defense in which she was quoted as stating she was positive the hair found on the lathe was Mary Phagan's.

Her affidavit for the state denied she had told the defense she was positive it was not Mary's hair, that she had said she thought it was her hair so far as she could tell.

Miss Marjorie McCoy, whose affidavit as presented by the defense stated she was positive it was not Mary Phagan's hair, that its texture differed from McCoy's hair, swore in the state's affidavit that she had not made a positive statement to the defense and that she said nothing whatever about texture in the affidavit she gave the defense.

The solicitor next read an affidavit from Mrs. Cora Falta, who made an affidavit for the defense in which she was quoted as saying she was positive it was not Mary's hair. When she made the affidavit for the defense, swore Mrs. Falta in the state's affidavit, she only told Detective C. W. Burke that it seemed darker than the hair found on the machine.

Detective Burke started to put her gown as making a positive statement, swore Mrs. Falta, but she insisted that he not do so. He agreed not to make it a positive statement, swore Mrs. Falta, and Detective Dan S. Lehon, of the Burns Agency, who, she said, was present at the time, told her that of course it would not be put down as a positive statement in the affidavit.

ROSSER'S AFFIDAVIT.

An affidavit was next read from Detective Bass Rosser, stating that he had examined all the records of the trial and swearing to the number of pages of evidence, etc.

The next affidavit read was Albert McKnight's, in which he swore he had given a false affidavit to the defense repudiating his

testimony at the trial and that his original testimony of Frank's nervousness the day following the murder, was the truth.

In the state's affidavit McKnight swore Detective Burke came to him and asked him how much money he was working for and then asked him how a \$100 a month job at the Terminal station would suit him. McKnight swore he told Burke he didn't want that job, and that Burke then said he would teach McKnight to run an automobile, would make him his own chauffeur and would give McKnight's wife a house and lot to live on at Burke's own place.

After he made the affidavit repudiating his trial testimony, McKnight swore he was given a job at Schoen Brothers, packing hides. Burke then came to him and told him to hide out until after Conley's trial, McKnight then left town.

When he came back, swore McKnight, he was hurt in the railroad yards and taken to Fairview hospital, where Burke visited him several times, once with Detective William J. Burns.

McKnight said he talked to Burns about the affidavit he had made for the defense and told him it was the truth. While he told Burns this, swore McKnight, Burke was sitting beside them saying nothing, although he knew McKnight was lying.

SOUGHT POLICE FOR PROTECTION.

McKnight swore that Burke gave him a card and told him to call him up if he wanted anything; but soon after that McKnight left the hospital and went to the police station "to escape from Burke and his crowd."

In his affidavit McKnight described in detail the various talks he had with Burke, in which he said Burke would urge him to repudiate his trial testimony. Once, he swore, Burke told him he had better do so "because the Jews were after him."

Following McKnight's affidavit, the solicitor read an affidavit from Angus Morrison, an employee of the Beck & Gregg Hardware Co. Morrison swore that R. L. Craven came to him and got him to hide in a warehouse and listen while McKnight repeated his

original story of Frank's nervousness to Crave. Morrison swore that he did this and heard McKnight repeated his original story of Frank's nervousness to Crave. Morrison swore that he did this and heard McKnight tell Crave about Frank's manner and Mrs. Frank's remarks on her husband's nervousness.

There was no mention between Craven and McKnight or Craven and himself of gaining a reward, swore Morrison.

An affidavit from Craven was next read, in which he swore to hearing McKnight's original story in the warehouse, and also to hearing Minola McKnight give her original affidavit which substantiated her husband's first story, but which she later repudiated.

PICKETTS AFFIDAVIT.

The affidavit of E. H. Pickett was read. He testified that Albert McKnight was voluntary in making his original affidavit, before the trial, about things he noticed in the Frank home on the day of the murder.

W. W. Boyd, manager of the Terminal station restaurant, was the signer of an affidavit that C. W. Burke, detective for the defense, came to him when Albert McKnight was working in the Kitchen of his restaurant, and wanted to see Albert. Later Burke told him Albert wanted to quit his job there, and accordingly he (Mr. Boyd) let Albert go. The report that he discharged Albert is unfounded, he said.

J. J. Green, a retired policeman, swore regarding Mrs. J. B. Simmons that he knows her as Mrs. Lula Thompson, and that she is a notorious bad character; that she has not lived long in one place for a number of years, the neighbors always raising objections against her.

R. S. Osborn, a former policeman, testified to the same effect.

Mrs. Willie Blacker's affidavit was similar, Mrs. Blacker adding that Mrs. Thompson's, or Simmons', own mother refused

to live with her. Other affidavits of the same nature were presented from C. H. Miner, George H. Phillips, L. O. Askew, J. F. McGill, and Isaac Wheeler.

MRS. SIMMONS ATTACKED.

Jim Daley and R. G. Patton and other Birmingham policeman, submitted affidavits that the Carter house where Mrs. Thompson or Mrs. Simmons is stopping now, is a house of disreputable character.

The original affidavit by Mrs. Simmons, given to the solicitor on May 7, 1913, in his office, was produced. In it, she testified she went by the factory about 4:30 o'clock and heard screams. In her affidavit submitted the other day by the defense she said it was between 2:30 and 3 o'clock.

The affidavit of A. B. Williams, son-in-law of Mrs. Simmons, or Thompson, recited that she told him on the Monday following the murder she heard the screams about 4 o'clock.

Another affidavit given by Mrs. Simmons recently to the state was read. In it, Mrs. Simmons said she first made an affidavit to a man named Burns, or Burke, some time last October, and told him just about what she had told the solicitor. Later this man came back with one or two other men, and read over an affidavit to her. It was not correct, and she told them so, and they promised to change it. It was wrong as to the time and also at a point where it said she had recited the story to the solicitor and he had urged her to specify a later hour. Afterward she saw her affidavit published in the paper, and it was not changed.

TOLD TRUTH FIRST TIME.

She told the truth in her original affidavit, the document presented by the state averred. She heard screams about 4:30 o'clock. Burns, or Burke, or whoever it was that got her affidavit wrong, later brought her a basket of fruit, she swears, but she refused to accept it.

W. T. Tucker and I. V. Tucker, father and son, submitted an affidavit that on April 26, 1913, they left their work in the Gate City Cotton mills and came down town, passing the National Pencil factory about 12:10 o'clock. They heard screams, which seemed to come from side windows of the building about on the second floor, though they did not seem to be right at the window, but rather inside. They kept quiet about it because they did not want to get mixed up with the case, and no one but themselves knew it until after Mrs. Simmons' affidavit was given out that she heard screams.

F. F. Hammond furnished an affidavit that he has heard Mr. and Mrs. Jake Cohen discussing the Frank case constantly, but he never heard Mrs. Cohen say anything about having talked with Mrs. Simmons or any one else who claimed to have heard screams in the factory.

Charles Phillips, a member of *The Journal* News Staff, signed an affidavit that Frank told him he remembered having seen Mrs. Miller on the street the day of the murder but had forgotten it until she told of seeing him.

EXONERATES DORSEY.

Miss Carrie Smith, who was one of the character witnesses against Frank, furnished an affidavit that Solicitor Dorsey was not domineering toward the girl witnesses waiting to testify about Frank. She said the solicitor impressed it on them there were certain set questions which the law allowed him to ask, and certain set answers which it allowed them to make one way or the other; and that they could go no further than that unless the defense asked them.

Some time after the trial, the affidavit of Miss Smith continued, a man came to her home and introduced himself as Mr. Maddox. He told her he was getting up a book on the Frank case. He asked her a lot of questions. Some time afterward he came back with an affidavit which he wanted her to sign, and which she refused to sign.

He said he was getting a commission on the door., and he would give her \$20 of his commission if she would sign the affidavit. She refused. She continued to see him occasionally, nevertheless. She doesn't know whether his name is Maddox or not. She said she got a message from Miss Marie Karst to meet her on the seventh floor of the Grant building. Miss Karst was not there, but "Maddox" was, and asked her again to sign the affidavit. On another occasion Miss Karst introduced her to another man who asked her to sign the affidavit.

Later she went back to the Grant building, she said, to identify the place where "Maddox" instead of Miss Karst had been waiting for her. She found it to be the office of Rosser, Brandon, Slaton & Phillips, attorney for the defense, she said. The private office into which she was taken was marked onto the door, "Mr. Slaton."

WORKED FOR BURKE.

Several affidavits were submitted from Miss Marie Karst. The story they told was that C. W. Burke, detective for the defense, gave her a job at \$2 a day, to work only in the afternoons. He wanted her to interview all of the girl witnesses against Frank. She did see some of them. Sometimes she didn't work more than fifteen minutes a day, but she got her \$2.00 just the same. After she had been working there some time, Burke wanted her to go and live with Monteen Stover and persuade her to change her testimony. She wouldn't do it, and lose her job.

Later Burke told her, "Well, I've got Carrie Smith where I wanted her." She said, regarding her testimony against Frank's character, she did not know the full meaning of the word "lascivious" in the solicitor's question, but she knew what he meant by "relations with women," and she knew Frank's relations with women and knew his character was bad.

An affidavit by Nelly Pettis was read, in which she denied ever having repudiated any of her testimony against Frank. On the contrary, she said, it was all true. Frank had made improper

proposals to her, she said. Some on representing himself to be a newspaper man had tried to get her to recant her story against Frank, but she wouldn't take it back, she said.

STRANGE MAN IN CASE.

An affidavit was read from Mrs. Lillie Pettis, sister-in-law of Nellie Pettis, in which Mrs. Pettis swore she had never heard her sister-in-law state that the evidence she gave at the trial was not true, or that she ever signed any papers to that effect.

She reiterated the evidence that she had seen Frank wink at her sister-in-law, and denied Detective Rosser ever got mad with her in endeavoring to get evidence from her. She said she told Rosser all she knew with the greatest freedom.

Many affidavits were here introduced relative to some strange man who appeared to be known by the name of Maddox and is said to have been getting affidavits on the Frank case.

C. R. Black, in the first affidavit swore he saw a man talking to Mrs. Carrie Smith one day at a weenie stand near the entrance to the Metropolitan club.

N. A. Garner's affidavit corroborated this testimony.

The next affidavit was from Miss Carrie Smith. She swore she was buying a weenie at the stand near the Metropolitan club when a man came up and introduced himself as a Mr. Maddox, telling her he was agent for a book on the Frank case soon to be published and that he was going to get \$40 for this work on it, half of which he would give her if she gave him a signed statement about her testimony at the trial. She says she refused to do this.

BOUGHT WEINIE AS "STALL."

The next affidavit was by Nellie Wood, who testified that early in April, 1914, she was sitting in an automobile in front of the Metropolitan club. In the seat beside her was Fred Lynn, Detective Burke's chauffeur; in the rear seat, Jimmie Wrenn. She

swore that Lynn pointed out a woman at a weenie stand and said to Wrenn, "That's the girl now." Wrenn then told Lynn he was going to buy a weenie for a stall, swore Miss Wood, and while he got out, she and Lynn stepped into the entrance to the club.

She swore that later she saw the same girl coming out of the Southern Bell Telephone company and pointed her out to City Detective John Black.

The next affidavit was by P. A. Isom. He testified that he knows Jimmie Wrenn well, that he is the brother of George Wrenn, convicted some time ago as a diamond robber, and that he has frequently seen Jimmie Wrenn talking to Detective Burke. Wrenn is employed by Burke, swore Isom.

Another affidavit by Miss Nellie Wood was presented in which she reaffirmed her trial testimony to the effect that Frank had made indecent proposals to her, laid his hands on her and told her he was "not like other men."

She swore that Detective Burke had never offered her money when she talked to him about these incidents but that a man in the same automobile with Burke had done so and she had refused.

BARRETT'S AFFIDAVIT.

An affidavit by R. T. Barrett, a former employee of the pencil factory, was read. He testified he knew Jimmie Wrenn when the latter was working in a machine shop near the factory. He said Wrenn came up to him once after the trial and told him he knew where he could get a job. All he would have to do, Barrett testified Wrenn told him, would be to go to New Orleans and change his testimony in the Frank trial.

Barret swore Wrenn told him he was employed by Detective Burke, and that later Wrenn came to him and told him, not to say anything about the offer of the New Orleans job, that Barrett would please tell him if ever he was going to say anything about it, because, in that case, he (Wrenn) wanted to leave town.

Barrett testified that he met Wrenn one day by appointment at the Terminal station, when Wrenn showed him two passes to New Orleans and suggested that they go there. Barrett testified that he told Wrenn he had to go home, but instead went to the solicitor's office and there told Assistant Solicitor Stephens about Wrenn.

Mr. Stephens advised him to hold Wrenn off and see what came of it. The next time he met Wrenn, swore Barrett, was by appointment in the Kimball house, where Wrenn told him there was staying a Mr. Kelly who was getting up a book on the Frank case.

BURNS BACK IN CITY.

Detective William J. Burns returned to the city from Chattanooga Thursday evening to deny the statement of the Rev. C. B. Ragsdale that he was present when the famous affidavit was made.

Mr. Burns in a signed statement again reiterates his firm belief in the innocence of Leo M. Frank.

Speaking of the case, the detective says: "I believe that you will grant that I am entitled to speak as an expert in matters relating to crime and criminal evidence, and speaking as such I tell you that Leo M. Frank is an innocent man, that the evidence on which he was convicted was utterly insufficient and that bringing on this execution under such conditions you are doing him a frightful injustice and inflicting on your city an irreparable injury.

"I consider that my work in the Frank case, which was to ascertain the truth, is practically completed. I have absolutely cleared Frank of the charge of perversion, which was wholly responsible for his conviction, and I have also demonstrated, beyond the shadow of a doubt, by incontrovertible facts, that Jim Conley is a pervert and was the murderer of little Mary Phagan."

WILL CONFRONT PREACHER.

Detective Burns said Friday morning that he will make it his business now to hunt up Rev. C. B. Ragsdale and to take newspaper men with him to confront the Baptist Minister, in order that the minister may admit the facts behind his story of being bribed to make an affidavit against Jim Conley.
